

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN
CITIZENS (LULAC), et al.,

Plaintiffs,

v.

GREG ABBOTT, et al.,

Defendants.

Civil Action No. 3:21-cv-259
(DCG-JES-JVB)
(consolidated cases)

UNOPPOSED MOTION TO MODIFY SCHEDULING ORDER

The United States respectfully moves to modify the December 17, 2021 Scheduling Order, ECF No. 96, as amended by the parties' May 11, 2022 joint stipulation modifying expert deadlines, ECF No. 268, for good cause shown pursuant to Federal Rule of Civil Procedure 16(b)(4). The United States has conferred with counsel for the other Plaintiffs and Defendants in this case, and they do not oppose this motion.

Plaintiffs' expert reports were due on May 20, 2022. In light of this court's May 23 order granting in part and denying in part Defendants' motions to dismiss, ECF No. 307, Plaintiffs must supplement their expert reports. In turn, Defendants seek substantial additional time to review and respond to Plaintiffs' original expert reports and supplemental reports. Accordingly, the parties have agreed to set a June 15 deadline for Plaintiffs' supplemental expert reports, and to move the deadline for Defendants' expert reports from June 17 to July 18. This change also required moving related deadlines concerning expert discovery and motions practice. This proposed schedule maintains the July 15 deadline for the close of fact discovery, maintains the August 29 deadline for the conclusion of major motion practice, and does not necessitate any

change to the trial schedule. The proposed schedule is as follows:

	Current	Proposed Revised Schedule
Plaintiff Expert Reports	May 20	May 20
Supplemental Expert Reports	N/A	June 15
Defense Expert Reports	June 17	July 18
Plaintiff Rebuttal Expert Reports	July 1	July 27
Close of Fact Discovery	July 15	July 15
Close of Expert Discovery	July 15	August 3
Dispositive Motions Due	July 25	August 5
Objections to Reliability of Experts under FRE 702	July 29	August 5
Dispositive Motion Oppositions	August 15	August 19
Responses to FRE 702 Objections	August 24	August 29
Dispositive Motion Replies	August 29	August 29

For the reasons set forth above, the United States respectfully requests that this Court amend its Scheduling Order with regard to expert discovery and the motions described above. A proposed order is attached hereto.

Dated: June 9, 2022

PAMELA S. KARLAN
Principal Deputy Assistant Attorney General
Civil Rights Division

/s/ Daniel J. Freeman
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CERTIFICATE OF CONFERRAL

Pursuant to Local Rule CV-7(g), I hereby certify that on June 3, 6, 7, and 8, I met and conferred with counsel for Defendants regarding this motion. Counsel for Defendants advised that they do not object to the relief sought in the above motion. Likewise, on June 7 and 8, I met and conferred with counsel for Plaintiffs in this consolidated case, and they do not oppose the relief set forth above.

/s/ Daniel J. Freeman

Daniel J. Freeman

Voting Section

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CERTIFICATE OF SERVICE

I hereby certify that on June 9, 2022, I electronically filed the foregoing with the Clerk of the court using the CM/ECF system, which will send notification of this filing to counsel of record.

/s/ Daniel J. Freeman

Daniel J. Freeman

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